

**THE PUBLIC SERVICE COMMISSION  
OF SOUTH CAROLINA**

**DOCKET NOS. 2017-207-E, 2017-305-E, AND 2017-370-E**

<b>IN RE:</b>	Friends of the Earth and Sierra Club,	)
	Complainant/Petitioner v. South Carolina	)
	Electric & Gas Company,	)
	Defendant/Respondent	)
		)
		)
<b>IN RE:</b>	Request of the South Carolina Office of	)
	Regulatory Staff for Rate Relief to SCE&G	)
	Rates Pursuant to S.C. Code Ann. § 58-27-	)
	920	)
		)
		)
<b>IN RE:</b>	Joint Application and Petition of South	)
	Carolina Electric & Gas Company and	)
	Dominion Energy, Incorporated for Review	)
	and Approval of a Proposed Business	)
	Combination between SCANA Corporation	)
	and Dominion Energy, Incorporated, as May	)
	Be Required, and for a Prudency	)
	Determination Regarding the Abandonment	)
	of the V.C. Summer Units 2 & 3 Project	)
	and Associated Customer Benefits and Cost	)
	Recovery Plans	)

**MOTION FOR LEAVE  
TO FILE DOCUMENT  
UNDER SEAL**

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Consistent with the confidentiality procedures set forth in S.C. Code Ann. § 58-4-55(A) (2018), Commission Order No. 2005-226, and pursuant to Rule 41.1(b), South Carolina Rules of Civil Procedure, the South Carolina Office of Regulatory Staff (“ORS”) respectfully moves the Public Service Commission of South Carolina (“Commission”) for leave to file under seal a document in connection with its Motion to Sanction Joint Applicants and to Compel Production of Wrongfully Withheld Documents in Joint Applicants’ Privilege Log (“Motion to Sanction and Compel”). The document in question is a privilege log submitted by Joint Applicants on July 6,

2018 (the “Privilege Log”), and which Joint Applicants marked as “Confidential.” ORS disagrees with this designation and believes it is necessary for the Commission to review the Privilege Log in connection with its consideration of ORS’ Motion to Sanction and Compel. Accordingly, ORS is filing this motion seeking permission to file the Privilege Log under seal.

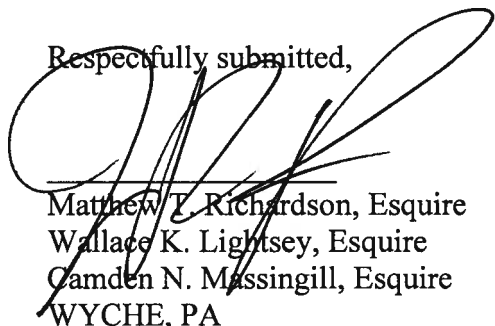
This motion – and the document that is the subject of it – is designed to meet the factors for sealing documents set out in Rule 41.1(b), SCRCP. Specifically:

1. Public notice of the request to seal and opportunity to object is afforded by virtue of this publicly filed motion and the description of the subject document above.
2. The entire document is allegedly confidential and therefore redaction is not practical and filing the document under seal is appropriate.
3. By designating this document “confidential” pursuant to S.C. Code § 58-4-55(A), Joint Applicants indicated their belief that the document contains sensitive and confidential information protected from public disclosure.

While S.C. Code § 58-4-55(A) and Commission Order No. 2005-226 provide Joint Applicants with a mechanism by which to exempt documents they consider confidential and proprietary from public disclosure, including disclosure to any member of the Commission, “if the [C]ommission determines that it is necessary to view such documents or information, it shall order [ORS] to file the documents or information with the [C]ommission under seal.” *See* S.C. Code § 58-4-55(A). ORS respectfully believes it is necessary for the Commission to review the Privilege Log in connection with its consideration of its Motion to Sanction and to Compel in order to make an informed determination as to whether Joint Applicants are wrongfully withholding non-privileged documents and sanctions are appropriate to address their flagrant disregard of the Commission’s discovery order.

For these reasons, ORS respectfully requests that the Court grant this motion and permit ORS to file the Privilege Log under seal for the Commission's *in camera* review and for the Commission's information and knowledge of said document as it relates to the issues associated with this case. The document that is the subject of this motion will be provided under separate cover to the Commission if the Commission so directs.

Respectfully submitted,



Matthew T. Richardson, Esquire  
 Wallace K. Lightsey, Esquire  
 Camden N. Massingill, Esquire  
 WYCHE, PA  
 801 Gervais Street, Suite B  
 Columbia, South Carolina 29201  
 Phone: (803) 254-6542  
 Fax: (803) 254-6544  
 Email: mrichardson@wyche.com  
 Email: wlightsey@wyche.com  
 Email: cmassingill@wyche.com

&

Nanette Edwards, Esquire  
 Jeffrey M. Nelson, Esquire  
 Shannon Bowyer Hudson, Esquire  
 Jenny R. Pittman, Esquire  
 OFFICE OF THE REGULATORY STAFF  
 1401 Main Street, Suite 900  
 Columbia, South Carolina 29201  
 Phone: (803) 737-0889/0823/0794  
 Fax: (803) 737-0801  
 Email: nedwards@regstaff.sc.gov  
 Email: jnelson@regstaff.sc.gov  
 Email: shudson@regstaff.sc.gov  
 Email: jpittman@regstaff.sc.gov

***Attorneys for the South Carolina Office of  
 Regulatory Staff***

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